

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HARRY GAO and ROBERTA SOCALL,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

JPMORGAN CHASE & CO. and CHASE
BANK USA, N.A.,

Defendants.

Case No. 1:14-cv-04281-PAC

**DECLARATION OF ERIC ROBIN RE:
SUPPLEMENTAL NOTICE
PROCEDURES**

I, **ERIC ROBIN**, declare:

1. I am a Senior Project Manager at Kurtzman Carson Consultants LLC (“KCC”). I am over 21 years of age and am not a party to this Action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.¹

2. KCC was retained to serve as the Settlement Administrator to, among other tasks, mail the Mail Notice and Claim Form; provide the Long-Form Notice on the Settlement Website; receive and process Claim Forms; respond to Settlement Class Member inquiries; establish and maintain the Settlement Website; and perform other duties as specified in the Settlement Agreement and Release (the “Agreement”) preliminarily approved by this Court by Order dated October 18, 2016, as amended by Order dated October 25, 2016 and subsequently amended by the Modification and Supplement to the Agreement (“Modification and Supplement”) (Dkt. 84-1).

3. After the entry of the Supplemental Notice Approval Order [Dkt. 85], KCC met with counsel for the parties to confirm the case deadlines and begin the process of compliance with the Supplemental Notice Program.

4. The parties provided KCC with a Supplemental Long-Form Notice and revised language

¹ The definitions in the Settlement Agreement and Release (“Agreement”) (Dkt. 70-1), as amended by the Modification and Supplement to the Agreement (“Modification and Supplement”) (Dkt. 84-1) are hereby incorporated as though fully set forth herein, and capitalized terms shall have the meanings attributed to them in the Agreement, as amended by the Modification and Supplement.

for the Settlement Website and for the IVR script used for the case's toll-free telephone number. The Supplemental Long-Form Notice was posted on the Settlement Website by April 10, 2017 and the updates were made to the Settlement Website and to the IVR.

5. The parties also provided KCC with the Supplemental Notice, which was finalized and mailed to the 7,107 Supplemental Notice Settlement Class Members. The mailing was finalized before May 15, 2017. In addition, 2,978 emails were sent to Supplemental Notice Settlement Class Members whose emails were reasonably available to Defendants and provided to KCC.

6. Thereafter, KCC worked with the Parties to address any Settlement Class Member issues and any notice or mailing concerns.

7. Of the 7,107 Supplemental Notice Settlement Class Members, 1,148 timely Claims were filed; 551 of those claims were filed during the Supplemental Notice time period.

8. Ultimately, a total of 17,563 timely claims were filed, including 1,148 for the Supplemental Notice Settlement Class Members. When viewed in terms of the applicable Points Forfeited, approximately 24.5% of the points have been claimed by Settlement Class Members. A sizable portion of the 17,563 timely claims will likely be determined to be deficient, as not having been filed by a Settlement Class Member. However, the percentage of total points claimed will most likely not change significantly after the final determination of valid Claims is made.

9. The Settlement Website, has received more than 43,658 page visits and the toll-free telephone number has been called 412 times.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct to the best of my knowledge. Executed on this 28th day of August 2017 at San Rafael, California.



ERIC ROBIN

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the forgoing **Declaration of Eric Robin re: Supplemental Notice Procedures**, was served on the following by CM/ECF and by electronic mail pursuant to agreement of the Parties:

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Attorneys for Defendants JP Morgan Chase & Co. and Chase Bank USA, N.A.

This the 29th day of August, 2017.

/s/ Kenneth J. Grunfeld
Kenneth J. Grunfeld, Esquire